

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

FRANK TRUJILLO,

Plaintiff,

No. CIV S-04-0139 GEB KJM PS

vs.

UNITED STATES POSTAL SERVICE,

Defendants.

ORDER

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Plaintiff has filed a request to continue the hearing on defendant's motion for summary judgment. Plaintiff contends new evidence has come to light that is relevant to his case and that he needs additional time to prepare opposition to the pending motion. Upon review of the file, the request for continuance and defendant's response, and good cause appearing, IT IS HEREBY ORDERED that:

1. Defendant's motion for summary judgment is denied without prejudice to its renewal after the reopened time for discovery as set forth below.

2. Discovery is reopened. Discovery, including the hearing of discovery motions, shall be completed by May 24, 2006. Discovery motions, if needed, shall be filed in accordance with Local Rule 37-251.

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1                   3. Dispositive motions, other than discovery motions, shall be noticed to be heard  
2 by September 13, 2006.

3                   4. The pretrial conference of June 12, 2006 at 1:30 p.m. and the trial date of  
4 September 19, 2006 at 9:00 a.m. before the Honorable Garland E. Burrell are vacated. The  
5 pretrial conference and trial date shall be reset as necessary.

6 DATED: February 21, 2006.

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10 UNITED STATES MAGISTRATE JUDGE

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